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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

6

Application Number

10/053,194

Filing Date

01/16/2002

First Named Inventor

Guangping Gao et al

Group Art Unit

1648

Examiner Name

S. Foley

TECH CENTER 1600

APR 17 2002

ENCLOSURES (check all that apply)

 Fee Transmittal Form Assignment Papers
(for an Application) After Allowance Communication Fee Attached Drawing(s) to Group Amendment / Reply Licensing-related Papers Appeal Communication to Board After Final Petition of Appeals and Interferences Affidavits/declaration(s) Petition to Convert to a
Provisional Application Appeal Communication to Group Extension of Time Request Power of Attorney, Revocation
Change of Correspondence
Address (Appeal Notice, Brief, Reply Brief) Express Abandonment Request Proprietary Information Information Disclosure Statement Terminal Disclaimer Status Letter Certified Copy of Priority
Document(s) Request for Refund Other Enclosure(s) (please
identify below): Response to Missing Parts/
Incomplete Application CD, Number of CD(s) _____ Response to Missing Parts
under 37 CFR 1.52 or 1.53

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual nameCathy A. Kodroff, Esquire
Howson and Howson

Signature

Date

4/8/2002

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Debra N. Gerstemeier

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GNVNP 037BUSA

#24W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of) Group Art Unit: 1648
Guangping Gao et al)
Appln. No. 10/053,194)
Filed: January 16, 2002)
For: CELL LINES AND CONSTRUCTS) April 8, 2002
USEFUL IN PRODUCTION OF)
E1-DELETED ADENOVIRUSES IN)
ABSENCE OF REPLICATION)
COMPETENT ADENOVIRUS)

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INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR §1.56 and § 1.97-1.98. Form PTOSB/08A/B and this paper identify documents previously cited in the parent application, U.S. Patent Application No. 09/659,203, filed September 11, 2000, now U.S. Patent No. 6,365,394, issued April 2, 2002.

CERTIFICATE UNDER 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Assistant Commissioner for Patents, Washington, DC 20231 on April 8, 2002.

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Typed or printed name _____ Debra N. Gerstemeier

According to 37 CFR § 1.98(d), Applicants have not enclosed copies of any U.S. patents, publications or other documents listed herein, which listed items were previously cited by or submitted to the United States Patent and Trademark Office in parent U. S. Patent Application No. 09/659,203, filed September 11, 2000, (issued). The parent patent application is relied upon herein for an earlier priority date under 35 USC §120.

A copy of the International Search Report issued in corresponding International Patent Application No. PCT/US00/40872 is enclosed for the purpose of identifying the passages considered relevant by the International Search Authority.

This Information Disclosure Statement is submitted within three months of the filing date of this application, and prior to receipt of an Office Action on the merits. Therefore, no fees are believed due. However, the Director of the U. S. Patent and Trademark Office is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees paid on the filing, or during prosecution of this application to Deposit Account No. 08-3040.

Item (AB) is the patent which issued in the parent application. Item (AM) is the corresponding International patent application.

The Examiner is respectfully requested to consider the documents identified in this paper and in the attached Form PTO/SB/08A/B during the course of the examination of this application.

Respectfully submitted,

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Attorneys for the Applicants

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PTO/SB/08A (08-00)

Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/053,194
				Filing Date	January 16, 2002
				First Named Inventor	Guangping Gao et al
				Group Art Unit	1648
				Examiner Name	S. Foley
Sheet	1	of	3	Attorney Docket Number	GNVPN.037BUSA

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U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	5,891,690	B1	B. Massie	04/06/1999	Col. 9, lines 31-50, entire document
	AB	6,365,394	B1	G. Gao	04/02/2002	entire document

FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴			
	AL	WO	WO97/00326	A1	F. Fallaux	01/03/1997
	AM	WO	WO01/23597	A3	G. Gao	04/05/2001

Examiner Signature	Date Considered
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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				Group Art Unit	1648
				Examiner Name	S. Foley
Sheet	2	of	3	Attorney Docket Number	GNVPN.037BUSA

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiners Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AR	Y. DAI et al, "Cellular and Humoral Immune Responses to Adenoviral Vectors Containing Factor IX Gene: Tolerization of Factor IX and Vector Antigens Allows for Long Term Expression", Proc. Natl. Acad. Sci. USA, 92:1401-1405 (February, 1995)	
	AS	F. FALLAUX et al, "New Helper Cells and Matched Early Region 1-Deleted Adenovirus Vectors Prevent Generation of Replication-Competent Adenoviruses", Hum. Gene Ther., 9:1909-1917 (September, 1998)	
	AT	G. GAO et al, "Biology of Adenovirus Vectors with E1 and E4 Deletions for Liver Directed Gene Therapy", J. Virol., 70:8934-8943 (December, 1996)	
	AU	H. GILGENKRANTZ et al, "Transient Expression of Genes Transferred In Vivo into Heart Using First-Generation Adenoviral Vectors: Role of the Immune Response", Hum. Gene Ther., 6:1265-1274 (December, 1995)	
	AV	N. HABIB et al, "A Phase I/II Study of Hepatic Artery Infusion with stp53-CMV-Ad in Metastatic Malignant Liver Tumors", Hum. Gene Ther., 10:2019-2034 (October, 1999)	
	AW	K. HEHIR et al, "Molecular Characterization of Replication-Competent Variants of Adenovirus Vectors and Genome Modification to Prevent their Occurrence", J. Virol., 70:8459-8467 (December, 1996)	
	AX	J. IMLER et al, "Trans-Complementation of E1-Deleted Adenovirus: A New Vector to Reduce the Possibility of Co-Dissemination of Wild Type and Recombinant Adenoviruses", Gene Ther., 3:75-84 (June, 1995)	
	AY	J. IMLER et al, "Novel Complementation Cell Lines Derived from Human Lung Carcinoma A549 Cells Support the Growth of E1-Deleted Adenovirus Vectors", Gene Ther., 3:75-84 (January, 1996)	

Examiner Signature		Date Considered	
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Examiner Name	S. Foley				
Sheet	3	of	3	Attorney Docket Number	GNVPN.037BUSA

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS					
Examiners Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	AZ	H. LOCHMULLER et al, "Emergence of Early Region 1-Containing Replication-Competent Adenovirus in Stocks of Replication-Defective Adenovirus Recombinants ($\Delta E1$ and $\Delta E3$) During Multiple Passages in 293 Cells", Hum. Gene Ther., 5:1485-1491 (December, 1994)			
	AAR	J. WILSON et al, "Gene Therapy of Cystic Fibrosis Lung Disease Using E1 Deleted Adenoviruses: A Phase I Trial", Hum. Gene Ther., 5:501-519 (April, 1994)			
	AAS	Y. YANG et al, "Cellular Immunity to Viral Agents Limits E1-Deleted Adenoviruses for Gene Therapy", Proc. Natl. Acad. Sci. USA, 91:4407-4411 (May, 1994)			
	AAT	H. ZHOU et al, "Development of a Complementing Cell Line and a System for Construction of Adenovirus Vectors with E1 and E2a Deleted", J. Virol., 70:7030-7038 (October, 1996)			
	AAU	J. ZHU et al, "Characterization of Replication-Competent Adenovirus Isolates from Large Scale Production of a Recombinant Adenoviral Vector", Hum. Gene Ther., 10:113-121 (January, 1999)			
	AAV	G. GAO et al, "A Cell Line for High-Yield Production of E1-Deleted Adenovirus Vectors without the Emergence of Replication-Competent Virus", Hum. Gene Ther., 11:213-219 (January, 2000)			

Examiner Signature	Date Considered
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